

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS**

**MARTIN J. WALSH**, Secretary of  
Labor, United States Department of Labor,

Plaintiff,

v.

**DAYEMI ORGANIZATION, INC. d/b/a  
LONGBRANCH CAFÉ AND BAKERY**, an  
Illinois corporation, and **ELAINE RAMSEYER  
GREENBERG**, an individual,

Defendants.

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) Civil action no.: 3:21-cv-00056-SMY  
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) CJRA Track: B  
)  
) Presumptive Trial Month: March 2022  
)  
) Judge Staci M. Yandle  
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**DECLARATION OF Gov't Informant**

I, **Gov't Informant**, based on personal knowledge, state the following:

1. I am <sup>Gov't In</sup> years old and reside in **Gov't Informant**. I worked <sup>Gov't Inform</sup> time at Longbranch Café located at 100 E. Jackson Street, in Carbondale, Illinois, from approximately **Gov't Informant**   
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2. I worked as a barista for Longbranch Café during the entire time I was employed there.
3. Prior to working at Longbranch Café, I worked as a barista for several other cafes. In my prior work as a barista, I never experienced a tip pool in which I had to share my tips with the “back of the house” employees, like cooks and dishwashers.
4. I was hired at Longbranch Café by Barista Manager Wil Davis. I was trained by a Server Manager named Maddy. Elaine Ramseyer was the person who signed my pay checks.
5. I was paid an hourly wage of \$5 by Longbranch Café and received a check every other week. I also earned tips, which I had to put into a tip pool.
6. Servers and baristas at Longbranch Café had to pay all of their tips into a tip pool. My cash tips were taken from me and put into a tip jar, and I cashed out credit card tips

throughout the shift as we worked. All cash and credit card tips were pooled into a coffee tin, which was labeled with the hours for that shift and the names of the employees on the shift. Dishwashers and cooks each received either 5% or 10% of the pooled tips, but I cannot currently recall the exact percentage each received. The baristas and servers split the remainder. Typically, the server on the shift with the most experience was responsible for collecting and distributing the tip pool money. The cooks would divide their portion of the tip pool money amongst themselves.

7. I typically ended up with around \$20 in tips per shift once the servers and baristas divided up our share of the tip pool money.
8. I was told about the tip pool by Maddy, Wil, and Elaine when I was hired. They presented the tip pool as the standard practice. It may have also been in the employee manual I received when hired.
9. I am aware of coworkers voicing complaints to Longbranch Café management that they did not want to tip out the dishwashers. One of the servers with whom I worked spoke out against servers performing dishwashing and sharing tips with the dishwasher. Very soon thereafter, Elaine changed that server's schedule to put her on less favorable shifts where she would earn less in tips.
10. I thought the tip pool was mandatory. All of tips were taken from me and put into the pool. I had no say over the amount put in or the distribution of the tip pool.
11. Prior to the Department of Labor's investigation, I was never told that the tip pool was voluntary.
12. I recall a server once tried to keep some of the tips he earned, but he was called out on it by another co-worker and made to pay those tips into the tip pool.

Exhibit 8

13. There was a barista who may have privately kept some of her tips without management becoming aware. I think if Elaine had found out, this barista would have been required to put the tips into the tip pool.

14. I do not recall there being any meetings about the tip pool.

15. Longbranch never recorded or documented the tips I received.

16. Gov't Informant

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

17. Baristas were responsible for their cash drawers, but the cash drawers were left unlocked during our shifts and others had access to them. When my cash drawer was short at the end of a shift, I was required to put my own money in to make up for the shortage and balance the drawer. This happened approximately [REDACTED] times during my employment at Longbranch Café, and I had to pay up to [REDACTED] of my own money on each occasion to balance the drawer.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: November , 2021

Gov't Informant

Signed:

[REDACTED]